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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/826,763	04/16/2004	Jefferson L. Patrick	08-0387.01	1213
20115 7590 02/18/2010				
PATENT SERVICES				
915 Merchant Walk				
Suite D				
HUNTSVILLE, AL 35801				
EXAMINER				
VANTERPOOL, LESTER L				
ART UNIT		PAPER NUMBER		
3782				
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02/18/2010		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



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10826763	4/16/2004	PATRICK, JEFFERSON L.	08-0387.01

PATENT SERVICES  
915 Merchant Walk  
Suite D  
HUNTSVILLE, AL 35801

## EXAMINER

LESTER L. VANTERPOOL

ART UNIT	PAPER
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## Commissioner for Patents

The Final Office Action mailed on September 4, 2008 inadvertently included cancelled claim 15 in the 103 rejection.

In response to the Final Office action mailed on September 4, 2008, the Appeal Brief mailed on April 6, 2009 also inadvertently included cancelled claim 15 in the 103 rejection argument rebutal.

Delete section 6, line 2 which recites: "The appellant's statement of the grounds of rejection to be reviewed on appeal is correct." and replace section 6, line 2 with: - - The appellant's statement of the grounds of rejection to be reviewed on appeal are substantially correct. The changes are as follows: "Whether claims 1 - 4, 9 - 14, 17 - 20 and 22 - 24 are unpatentable under 35 USC 103(a) over the reference to Armstrong (U.S. 6,517,134) in view of Oliver (U.S. 3,819,074). - -

Lastly, the Examiner's Answer mailed on October 27, 2009 also inadvertently included cancelled claim 15 in the statement of the ground of rejection set forth in paragraph 4, line 1 of section 9.

Delete section 9, paragraph 4, line 1 which recites: "Claims 1 - 4, 9 - 15, 17 - 20, and 22 - 24 are rejected under 35 U.S.C. 103(a) as being" and replace section 9, paragraph 4, line 1 with: - - Claims 1 - 4, 9 - 14, 17 - 20, and 22 - 24 are rejected under 35 U.S.C. 103(a) as being - -.

Therefore, claim 15 is clearly cancelled and should NOT be included or considered in Section 6: Grounds of Rejection to be Reviewed on Appeal nor the 103 rejection in Section 9 of the Examiner's Answer mailed on October 27, 2009.

/Nathan J. Newhouse/  
Supervisory Patent Examiner, Art Unit 3782